

**DEERFIELD CONSERVATION COMMISSION**  
**1967 – FIFTY-FIVE YEARS AND COUNTING – 2022**  
**Meeting Minutes – January 9, 2023**

**Attendance:** Haley Andreozzi, Chloe Gross, Josh Freed, Serita Frey, Wes Golomb  
**Members Absent:** Erroll Rhodes  
**Visitors & Guests:** None

Serita Frey convened the meeting at 7 pm.

In order to bring members back up to speed, there was a brief review of old business that had taken place since DCC's August meeting; the last, official meeting at which a quorum was present. Details are contained in the minutes of the September and October proceedings. No meetings or proceedings were convened in November or December.

**Approval of Minutes:**

**Motion:** *Serita Frey moved to approve the minutes of the August regular meeting, and the September and October non-quorum proceedings. The motion to approve the minutes as submitted was seconded by Josh Freed and passed unanimously.*

**Energy Committee Report:**

Wes Golomb was collecting signatures for **two warrant articles, petitioned by the Energy Committee**, for placement on the March 2023 ballot. The warrant articles proposed initiating **a project to install infrastructure that could generate solar power for both the school and the Town buildings**. In essence, they request that the Town and School work jointly with one another on a project *...for the purpose of powering the school and the town buildings to reduce energy costs*. Members voluntarily signed the petitions on an individual basis.

**DCC Proposed 2023 Warrant Articles:**

Members reviewed the petitions for the following warrant articles to be placed on the March 14, 2023 ballot.

**Article #1** (The wording of this article is prescribed by the State)

*"Shall the town vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the conservation commission to expend funds for contributions to 'qualified organizations' for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?"*

**Article #2**

*"To see if the town will vote to deposit 100 percent of the revenues collected pursuant to RSA 79-A (the land use change tax) in the conservation fund in accordance with RSA36-A:5 III as authorized by RSA79-A:25 II. If adopted this article shall take effect April 1, 2023 and shall remain in effect until altered or rescinded by a future vote of the town meeting".*

**Katrina Amaral, Executive Director of Bear-Paw Regional Greenways shared a copy of their 11/4/2021 letter to the Nottingham Conservation Commission promoting the adoption of RSA 36-A:4-a, I(b) Optional Powers.**

Arguments made for adoption included: *Allowing for a smoother funding process, and reducing future liability and responsibilities to future generations of Town Conservation Commission members* in the event that the easement-holder failed in its ability to enforce the terms of the easement. Stewardship responsibilities that would then fall to the Town include *annual land monitoring and documentation, enforcement of the easement terms (including legal defense and associated fees), oversight of easement management plans, and coordination with any new landowners that purchase the easement land.*

**Members had previously discussed the pros and cons of these articles at DCC regular meetings in February, June, July and September.** The consensus of the members attending this, the January 2023 meeting, was to place them on the March warrant and to put the question to the voters. Josh Freed volunteered to reach out to residents on Tuesday and ask for their signatures. The goal was to be able to meet the deadline to submit a minimum of 25 signatures to John Harrington by the close of business on January 10<sup>th</sup>. Members voluntarily signed each of the petitions on an individual basis.

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**Finance:**

**The balance in the Conservation Fund at the end of December was \$349,178.49.** An explanation has been requested of why no interest was earned in December. DCC was notified that the 3<sup>rd</sup> Quarter Land Use Change Tax, posted in October in the amount of \$46,571, was overstated. The Conservation Fund account balance was subsequently reduced by \$25,326 in December.

**Payments to Bear-Paw of the transaction costs for the Mathews and Bradbury easements, \$17,750 and \$22,000 respectively,** were made from the Conservation Fund in November. The invoices had been pre-approved for payment at the July 11, 2022 DCC meeting.

**Motion:** *Serita Frey moved to approve payment of the Upton and Hatfield invoice in the amount of \$149.05. The motion was seconded by Haley Andreozzi and passed unanimously.*

The invoice represented payment for a legal opinion provided by Town Attorney Jim Raymond regarding the SELT request for funding.

**Easements and Land Conservation:**

**The Southeast Land Trust (SELT) acquisition of the William Rix property, Map 424 Lots 103 and 108**

In September, the Southeast Land Trust (SELT) approached DCC members and made **a general funding request of \$25,000** “...to be put toward SELT staff time spent in Deerfield related to SELT’s general conservation work in Town, and toward SELT’s Land Management Fund” which is defined as “...a pooled fund for all the land SELT owns, including land in Deerfield such as the Howard Swain Memorial Forest and the future Robert Rix Family Forest.” **The decision was tabled pending advice from Town counsel.** The subsequent legal opinion advised that DCC could not make the requested funding contribution without the Town adopting the *Optional Powers* conveyed through the passage of RSA 36-A:4-a, I(b).

**Bear-Paw Project Update**

DCC received an email from Kaitlin Deyo of Bear-Paw advising of **two projects they were facilitating in Deerfield.** One is still in the discussion phase. The second is a project they are working on with **Pat Cassier which consists of 47 acres with 406’ of frontage on Candia Rd.** The parcel is located near the Lindsay-Flanders and Mathews easements and would be open to the public. **Bear-Paw anticipates presenting a request to DCC for financial support in 2023.**

**Bear-Paw expressed gratitude for DCC’s financial support on the three 2022 projects; Adami-Cote (24 acres), Bradbury (55 acres), and Mathews (18 acres).**

**Stewardship/Easement Monitoring:**

**Town Administrator John Harrington received a solicitation for the purchase or lease of acreage in the Dowst-Cate Town Forest for a solar project.** Mr. Harrington was informed that the terms of the Town Forest easement deed prohibit such transactions, which was confirmed by Bear-Paw, the Town Forests easement-holder. Language allowing solar energy infrastructure as a permitted use is being considered for incorporation into future easement deeds.

**The 2022 monitoring reports have been completed and submitted** to Charlotte Harding of the State’s *Conservation Land Stewardship Program* for the LCIP easements that include Freese Town Forest, Burbank/Bear-Paw (2), Pendleton, Marston Family Town Forest, Jaeger and Curry.

**Public Outreach**

**Town of Deerfield Website – DCC web page update**

The clerk will contact Steve Jamele with additions and corrections to the DCC web page. Existing links need to be updated.

**2022 Annual Report to the Town**

The Clerk will update the template for the report due 1/24/2023.

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**Regulated Wetlands & Shorelands – Permits/Applications/Potential Violations:**

**Eversource CUP Application Review**

On September 30, 2022 DCC was contacted by Jake Tinus of VHB, the engineering consulting firm representing Eversource, regarding an **application for a Conditional Use Permit (CUP) for work on an Optical Ground Wire** near the Deerfield substation, along its Right-of-Way in Deerfield and adjoining towns. According to the email, the work is anticipated to begin in Spring/Summer 2023, and would utilize matting and best management practices to minimize wetland impacts, none of which are anticipated to be permanent.

Mr. Tinus' original plan to meet with DCC members in November was postponed. The most recent timeline now anticipates **the presentation will take place at DCC's February 13<sup>th</sup> meeting**. Mr. Tinus expects to present the CUP **application to the Planning Board on January 27<sup>th</sup>**. **Recommendations should be forwarded to the Planning Board prior to February 22<sup>nd</sup>**. Mr. Tinus will forward an electronic copy of the application prior to meeting with DCC members in February. DCC will be copied on the *DES Utility Statutory Permit by Notification* in early 2023.

**Eversource Vernal Pool Assessment – 6/22/2022 File No. 04.0190999.86**

**373, 385, & 391 Transmission Line Structure Replacement Project**

In his 10/28/2022 email, resident **Ken Cohen requested a copy of the vernal pool mapping** that was provided by Eversource to the DCC relative to the above-mentioned project. Planning Board member Bob Cote was copied on the email. The mapping information was forwarded to Mr. Cohen and Mr. Cote on 10/28/2022; however, **Mr. Cohen observed that the mapping Eversource provided to the DCC was at least 4 years old**. DCC was copied on Mr. Cohen's subsequent email to the Planning Board requesting a copy of the approved Eversource application. No further information has been received and no further action was taken by DCC.

**Cross Subdivision – 18 Lots – Mt. Delight Rd.**

Emails from Suzanne Steele and Brian Adams have been received individually by members; however, no additional information was provided and members did not take up the matter for discussion.

**Forestry Statutory Permit-by-Notification (RSA 482-A) – NHDES File #2022-03340**

Peter Lion - Deerfield Map 405 Lot 28

**Forestry Statutory Permit-by-Notification (RSA 482-A) – NHDES File #2022-03046**

State of NH (NH Fish & Game) - Deerfield Map 407-Lots 25-24, 26 & 27 Off Woodman Rd

**Application: Wetlands Permit-by-Notification (RSA 482-A/Env-Wt 100-900)**

Brodmerkle 2022 Trust - 1 Loon Ledge Ln – Map 207 Lot 16

**Notice: Incomplete Wetlands Permit-by-Notification (RSA 482-A) NHDES File Number: 222-03011**

Brodmerkle 2022 Trust - 1 Loon Ledge Ln – Map 207 Lot 16

*A motion by Serita Frey to **adjourn at 8:02 pm** was seconded by Wes Golomb and approved unanimously.*

**The next regular meeting is scheduled for Monday, February 13, 2023**

*(Please check the website [townofdeerfieldnh.com](http://townofdeerfieldnh.com) for scheduling changes) These minutes were prepared and submitted by Judy Marshall. Revisions, if any, will be contained in the minutes of the next meeting and posted to the Town website, after approval by the Deerfield Conservation Commission*